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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$65.00)

## Complete If Known

Application Number	10/766,744
Filing Date	January 27, 2004
First Named Inventor	David Halpern, Steve Jacobs
Examiner Name	John P. Lacyk
Art Unit	3736
Attorney Docket No.	349810-991102

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 07-1896 Deposit Account Name: DLA Piper Rudnick Gray Cary US LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

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## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 (including Reissues)

**Small Entity**

Fee (\$) Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fees Paid (\$)**

- 20 or HP =      x      =      \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fees Paid (\$)**

- 3 or HP =      x      =      \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/50 =	(round up to a whole number) x	=	_____

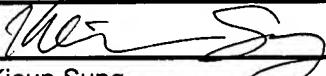
### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal disclaimer fee: \_\_\_\_\_

65

## SUBMITTED BY

Signature		Registration No. 48,639 (Attorney/Agent)	Telephone 650-833-2121
Name (Print/Type)	Kieun Sung		Date July 20, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Please type a plus sign (+) inside this box



Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



# TRANSMITTAL FORM

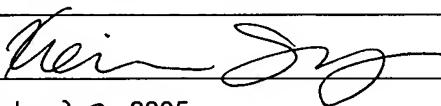
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/766,744
Filing Date	January 27, 2004
First Named Inventor	David Halpern
Group Art Unit	3736
Examiner Name	John P. Lacyk
Attorney Docket Number	349810-991102

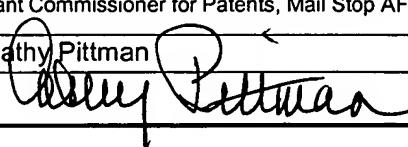
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Response to Office Action	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Associate Power of Attorney,	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Response to Office Action (5 pgs.); Certificate of First Class Mailing (1 pg); Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Kieun Sung (Reg. No. 48,639) Gray Cary Ware Freidenrich LLP
Signature	
Date	July 20, 2005

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Typed or printed name	Cathy Pittman	Date	July 20, 2005
Signature			



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DATE OF DEPOSIT: July 20, 2005

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Cathy Pittman

\* \* \*

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing for:

U.S. Utility Patent Application S/N: 10/766,734 for  
**METHODS FOR TREATING SOLID TUMORS**  
**USING NEUTRON THERAPY**  
FILED: January 27, 2004  
INVENTOR(s): David Halpern

Enclosed are:

1. Transmittal Form (1 pg.);
2. Response to Office Action (5 pgs.);
3. Terminal Disclaimer (1 pg.);
4. Fee Transmittal FY 2005 (1 pg.);
5. Certificate of First Class Mailing (1 pg.); and
6. Return Postcard



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/766,744 Confirmation No.: 2838  
Applicant: David Halpern, Steve Jacobs  
Filed: January 27, 2004  
Group Art Unit: 3736  
Examiner: John P. Lacyk  
Docket No.: 349810-991102 (formerly 2100280-991102)  
Customer No.: 26379

*I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents & Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on: July 20, 2005*

*Cathy Pittman*  
Cathy Pittman

\* \* \*

RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a response to the office action mailed on May 20, 2005, the statutorily shortened response period for which ends on August 20, 2005. This response is being submitted by July 20, 2005 so that an Advisory Action may be issued in reply.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.